

ORIGINAL

1 KAREN P. HEWITT  
2 United States Attorney  
3 JOSEPH S. SMITH, JR.  
4 Assistant U.S. Attorney  
5 California State Bar No.200108  
6 Federal Office Building  
7 880 Front Street, Room 6293  
8 San Diego, California 92101-8893  
9 Telephone: (619) 557-5669  
10 Attorney for Plaintiff  
11 United States of America

FILED  
08 JUL 25 AM 11:12  
CLERK, U.S. DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA  
BY: *Dee* DEPUTY

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

12 UNITED STATES OF AMERICA, ) Case No. 08mj2117-CAB  
13 Plaintiff, ) PROTECTIVE ORDER  
14 v. )  
15 RAUL RODRIGUEZ-OROZCO (1), )  
16 JUAN RAMON PEREZ-MASCURRO (2), )  
17 ALEXANDER FLORENCIO )  
18 MAYORQUIN (3), )  
19 Defendants. )

20 Pursuant to Rule 16(d) of the Federal Rules of Criminal Procedure pertaining to pretrial  
21 discovery, and to prevent premature and unwarranted disclosure of evidence to potential targets,  
22 subjects, and witnesses, and unrelated third parties,

23 IT IS HEREBY ORDERED that the defendants, their counsel of record, and the counsel's  
24 assistants, as hereafter defined, shall not disclose the substance of any discovery material received from  
25 the Government in the above-captioned matter, including all wiretap documents, to any third party,  
26 unless such material is already a matter of public record, without prior approval of this Court;

27 Pursuant to Rule 16(d) of the Federal Rules of Criminal Procedure,

28 IT IS FURTHER ORDERED that the United States Attorney and the Assistant United States  
29 Attorney assigned to this case (hereafter collectively referred to as "the Government") and their  
assistants, the defendants, their counsel and their assistants, shall not disclose the substance of any

1 discovery material produced to the defendants or obtained by the Government from the defendants,  
2 unless such material is already a matter of public record, to representatives of the media or other third  
3 parties not involved in any way in the investigation or prosecution of the case;

4        Except that nothing contained herein shall prevent the Government, or any defendant or their  
5 counsel, from disclosing such discovery material to any other attorneys working for the Government,  
6 the defendants or their counsel, government agents (federal, state or local), private investigators, experts,  
7 secretaries, law clerks, paralegals, or any other person who is working for the Government or the  
8 defendants and their counsel (collectively referred to as "assistants") in the investigation or preparation  
9 of this case or, with respect to the Government and its assistants only, in other criminal investigations,  
10 without prior court order;

11        Further, nothing contained herein shall preclude the Government, defendants or their counsel,  
12 or their respective assistants from conducting an investigation of the facts of this case on behalf of the  
13 Government or said defendants, or with respect to the Government and its assistants only, from  
14 conducting an investigation of other criminal activity, including interviewing witnesses disclosed by said  
15 discovery materials, or from taking statements from witnesses disclosed by said discovery materials, or  
16 from asking said witnesses if they themselves have made prior statements to the Government that are  
17 disclosed in the discovery materials, and about the contents of such statements. In connection with any  
18 such investigation, it shall not be necessary that the Government, the defendants or their counsel, or their  
19 respective assistants, obtain prior permission of this Court.

20        Should counsel withdraw or be disqualified from participation in this case, any material received  
21 and any copies derived therefrom, shall be returned to the Government within ten (10) days.

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1 Defense counsel and the Government shall be required to communicate the substance of this  
2 order and explain it to their clients and assistants before disclosing the substance of the discovery to their  
3 clients or assistants.

4 SO ORDERED.

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6 DATED: 7/22/08

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11 I consent to the entry of the attached protective order in the case of United States v. Raul  
12 Rodriguez-Orozco, Case No. 08mj2117-CAB.

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HONORABLE CATHY ANN BENCIVENGO  
United States Magistrate Judge



JOSEPH S. SMITH, JR.  
Assistant United States Attorney

DATED: 7/23/2008

JOHN FRANCIS KELLY  
Attorney for defendant  
Raul Rodriguez-Orozco

DATED: \_\_\_\_\_

JEREMY C. DZUBAY  
Attorney for defendant  
Juan Ramon Perez-Mascurro

DATED: \_\_\_\_\_

JEREMY D. WARREN  
Attorney for defendant  
Alexander Florencio Mayorquin

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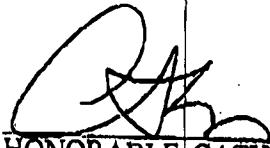
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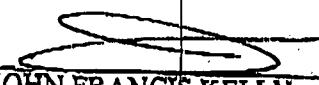
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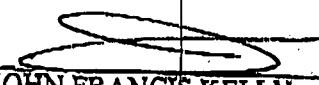
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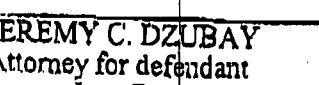
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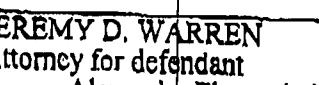
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JUL. 23. 2008 8:15AM

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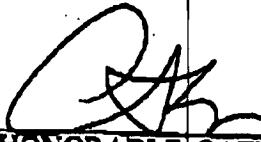
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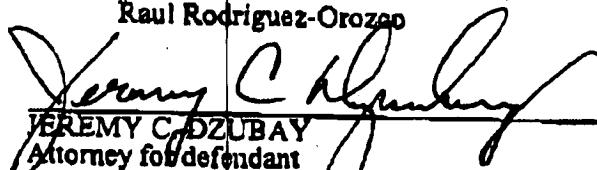
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